

## **REMARKS**

Claims 1-11, 13-18, and 22-35 were pending in the application. Claims 1-11, 13-18, and 22-35 have been amended. Therefore, claims 1-11, 13-18, and 22-35 are now pending in this application.

### **Allowed Claims**

Claims 18, 31, and 32 were indicated as being allowable. Applicant appreciates the Examiner's allowance of these claims. Although portions of claim 18 have been amended, Applicant believes that such amendments do not affect the patentability of claim 18.

### **Section 112 Rejections**

#### *Written Description Rejections*

Claims 1-11, 13-17, 22-30, and 33-35 were rejected under 35 U.S.C. § 112, first paragraph, for "failing to comply with the written description requirement." *See* Office Action at 3.

#### *Claim 1*

The Examiner submitted that he is "interpret[ing] 'a non-streamable installation program' [as recited in claim 1] as a program that, in any case, cannot be converted into a streaming program." *See* Office Action at 3. The Examiner also indicated that "[a] phone interview was conducted on 6/19/2007 regarding the use of 'non-streamable' and 'streamable' in the claims" and that "applicant [had] subsequently dropped the use of 'non-streamable' in the claims." *See* Office Action at 6. To address the Examiner's concerns, Applicant has amended claim 1 to recite "converting an installation program usable to install a software application on a target processing system from a first format to a second format, wherein the first format does not permit streaming of the software application, and wherein the second format permits streaming of the software application."

Accordingly, Applicant submits that claim 1, as amended, is in condition for allowance. Amended claims 10, 14, and 22 (and their respective dependent claims) are also believed to be

allowable for reasons similar to claim 1.

#### *Claim 8*

The Examiner rejected claim 8 for reciting an “installation program [] executable to install a software application” because “[a]n installation program that is for use in installing a software application is different from an installation program that actually installs an application program.” *See* Office Action at 3. As a result, Applicant has amended claim 8 to recite “the installation program is usable to install, on a client computer system, a software application residing on a server.” Accordingly, Applicant submits that amended claim 8 and its dependents are in condition for allowance.

#### *Claim 34*

The Examiner rejected claim 34 for reciting “creating a streamable installation program...that is not configured for application streaming” and “for the same reason for the rejection of claim 8.” *See* Office Action at 4. To address the Examiner’s first concern, Applicant has amended claim 34 to recite an “installation program [having] a format that is compatible with a standardized installation format and that permits streaming of a software application, wherein the standardized installation format does not by itself support streaming of the software application.” With regards to the second concern, Applicant has amended claim 34 to recite “creating an installation program usable to configure a computing device to execute a software application.” Applicant believes that these amendments to claim 34 should address the issues raised by the Examiner. As a result, Applicant submits that claim 34 is believed to be in condition for allowance.

#### *Other Section 112 Rejections*

Claims 1-7, 10-11, 13-17, 22-26, 29-30, and 33 are rejected under 35 U.S.C. § 112, first paragraph, for “failing to comply with the enablement requirement.” *See* Office Action at 4. Claims 8, 9, 27, and 28 are rejected under 35 U.S.C. § 112, second paragraph, as failing to set forth the subject matter regarded as the invention. *See* Office Action at 5. For these rejections, the Examiner appears to express the same concerns presented above and notes that Applicant “is arguing claims that [are] either not supported by the specification or not enabled.” *See* Office

Action at 4-6. Applicant submits that amendments presented above are believed to address the concerns for these rejections.

Therefore removal of the § 112 rejections is respectfully requested

**CONCLUSION:**

Applicant respectfully submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such extension.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/6002-08801/DMM.

Respectfully submitted,

Date: April 27, 2009

By: /Dean M. Munyon/  
Dean M. Munyon  
Reg. No. 42,914

Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.  
P. O. Box 398  
Austin, Texas 78767  
(512) 853-8847